

REMARKS

Regarding section 1 of the office action, the claims have been amended above to overcome the examiner's objection.

Claims 5, 6 and 9 have been converted from dependent form into independent form. This change in form does not narrow or limit the scope of the claims. The scope of these claims is the same as originally filed. The claims should have the broadest reasonable interpretation under the doctrine of equivalents. In view of section 5 of the office action, these claims should now be in condition for allowance.

Claims 1-4, 8, 10, 12-14 and 16-17 were rejected under 35 U.S.C. §102(b) as being anticipated by Minnis (US 5,145,356). The examiner is requested to reconsider this rejection.

The examiner, citing In re Hutchison, 69 USPQ 138 (CCPA 1946), stated that the elements "adapted to" perform a function in claims 1 and 10 are not positive limitations and do not constitute limitations in any patentable sense. **This is incorrect.** In re Hutchison holds that the term "adapted to" used in the **preamble** is not given patentable weight. However, In re Venezia 189 USPQ 149 (CCPA 1976) explicitly held that the phrase "a pair of sleeves *** each sleeve of said pair adapted to be fitted over the insulating jacket of one of said cables" **imparts a structural limitation** to the sleeve. The court went on to hold that the language "adapted to be affixed" and "adapted to be positioned" also defines present structures or attributes of the part which limits the structure of the housing. Thus, it appears that In re

Hutchison only applies to the **preamble** of a claim, not the **body** of a claim.

To expedite prosecution, claims 1 and 10 have been amended to recite "sized and shaped" rather than "adapted". This is not believed to be a limiting amendment.

Claim 1 claims that the lever arm is sized and shaped to pivot on top of a portion of the second housing member. There is no disclosure or suggestion in Minnis that latch (120, 122, 124) on first housing member 32 is sized and shaped to pivot on top of a portion of the second housing member 30. Minnis only describes camming by the lugs 30 against the yoke 122 when the two housing are connected to each other. The features of claim 1 are not disclosed or suggested in the art of record. Therefore, claim 1 is patentable and should be allowed.

Though dependent claims 2-4 and 8 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 1. However, to expedite prosecution at this time, no further comment will be made.

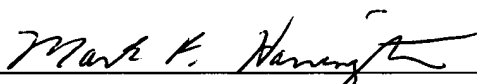
Claim 10 claims that the second housing member comprises a latch overstress protection section comprising a portion of the second housing member being sized and shaped to be contacted by the second end of the latch to limit movement of the second end of the latch in an outward direction. There is no disclosure or suggestion in Minnis that the second housing member 30 has a portion which is sized and shaped to be contact by the yoke 122 of the latch to limit movement of the yoke 122 in an outward direction. The features of claim 10

are not disclosed or suggested in Minnis. Therefore, claim 10 is patentable and should be allowed.

Though dependent claims 11-18 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 10. However, to expedite prosecution at this time, no further comment will be made.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the examiner is invited to call applicant's attorney at the telephone number indicated below.

Respectfully submitted,



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